

# Vanguard

100 Vanguard Blvd. M35  
Malvern, PA 19355

www.vanguard.com

April 18, 2023

## VIA FEDEX

Clerk of Court  
United States Courthouse  
Attn: Arraignment Unit, Rm 520  
500 Pearl Street  
New York, NY 10007

RE: **United States of America v. Martin Silver and The Vanguard Group, Inc.**  
**Case No.: 20 CR 360**  
**Our Matter No. 1043443**

Dear Clerk of Court:

The Vanguard Group, Inc. ("Vanguard") hereby encloses its Answer of Respondent regarding the above-captioned case.

Should you have any questions concerning this matter, please contact the Office of General Counsel at the following address:

The Vanguard Group, Inc.  
Attention: Office of the General Counsel  
100 Vanguard Boulevard – M35  
Malvern, PA 19355

Please include *Our Matter Number* with your correspondence.

Sincerely,

Office of the General Counsel

Enclosure

cc: Martin Silver (w/encl. via First-Class Mail)  
USAO-SDNY-FLP (w/encl. via First-Class Mail)

USAO-SDNY-FLP  
86 Chambers Street  
3<sup>rd</sup> Floor  
New York, NY 10007

*File in BCF  
5-4-23  
[Signature]*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

MARTIN SILVER,

Judgment Debtor,

and

THE VANGUARD GROUP, INC.,

Respondent.

20 CR 360

**PUBLIC FILING**

**ANSWER OF THE RESPONDENT**

I, Nichole M. Lobodzinski, the Manager, Litigation Legal Analyst/  
Custodian of records of the Respondent  
(name) (title)

The Vanguard Group, Inc.

, state under penalty of perjury as follows:

RESPONDENT IS (choose one):

- ☐ An individual doing business in the name of \_\_\_\_\_.
- ☐ A partnership, ☐ LP, ☐ LLP or ☐ LLC
- ☒ A corporation, organized under the laws of the State of Pennsylvania.

I acknowledge receipt of the United States' request that Respondent waive service of a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena under Rules 4-4.1 of the Federal Rules of Civil Procedure in this proceeding. Without waiving defenses or objections to the garnishment or to the jurisdiction or venue of the court except for objections based on a defect in the service of the process, I agreed to accept service for the Respondent by:

- ☐ facsimile at ( ) \_\_\_\_\_ and/or
- ☐ e-mail at \_\_\_\_\_ and/or
- ☒ first class mail at 100 Vanguard Blvd.; Malvern, PA 19355

On April 17, 2023, 2023, Respondent received a NYCPLR 5222 Restraining Notice and a NYCPLR 5224 Information Subpoena. At the time of service, Respondent had in its possession or control, the following property of the judgment debtor:

**1. Financial Accounts****Account 1**

Type: Brokerage Account  
 No.: 75727208  
 Title owner(s): Martin Silver  
 Amount: \$ \$8,683.50

**Account 2**

Type: Rollover IRA Brokerage Account  
 No.: 51020463  
 Title owner(s): Martin Silver  
 Amount: \$ \$3,331,458.57

**Account 3**

Type: \_\_\_\_\_  
 No.: \_\_\_\_\_  
 Title owner(s): \_\_\_\_\_  
 Amount: \$ \_\_\_\_\_

**Account 4**

Type: \_\_\_\_\_  
 No.: \_\_\_\_\_  
 Title owner(s): \_\_\_\_\_  
 Amount: \$ \_\_\_\_\_

For any pension or retirement plan, produce a copy of the governing plan document detailing terms and conditions for eligibility to withdraw funds.

**2. Safety Deposit Box**

Box No.: \_\_\_\_\_  
 Last accessed: \_\_\_\_\_  
 Owners other than the judgment debtor:  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Detail other personal property in the respondent's possession, custody, or control:

N/A

4. Are there prior garnishments or other court-ordered withholdings which are presently in effect including, but not limited to child support and alimony?

☐ Yes or ☐ No; if the answer is yes, describe below (case number, state, county):

Unknown

5. Does the respondent have custody, control or possession of any property, other than accounts, safety deposit boxes or other personal property, now owed or to be paid in the future, in which the judgment debtor has an interest? ☐ Yes or ☒ No. If the answer is yes, describe below:

**IF RESPONDENT DENIES HOLDING PROPERTY SUBJECT TO RESTRAINT:**

6. Check and complete the applicable line below:

☐ Respondent has the following objections, defenses, or set-offs:

\_\_\_\_\_

\_\_\_\_\_

☐ On the date the respondent was served with the notice, the respondent was not indebted or under liability to the defendant, and/or did not have in its possession or control any assets, income or other property in which the judgment debtor has an interest.

RESPONDENT mailed a copy of this Answer by first-class mail to:

(1) the judgment debtor, Martin Silver, at 1 Plaza Ct. Long Branch, NJ 07740-4722;

(2) the Clerk of Court, United States Courthouse, 500 Pearl Street, New York, NY 10007, Attn: Arraignment Unit, Rm 520; AND

(3) USAO-SDNY-FLP, 86 Chambers Street, 3rd Floor, New York, NY 10007.

Pursuant to 28 U.S.C. § 1746, I verify under penalty of perjury that the foregoing is true and correct.

Executed this 18 day of April, 2023.

Nichole M Lobodzinski  
(Signature)

Nichole M/ Lobodzinski  
(Print Name)

Title Manager, Litigation Legal Analyst/ Custodian of Records

Address 100 Vanguard Blvd.

City, State, Zip Malvern, PA 19355

Telephone and Fax Numbers 610-669-2177 / 484-582-3778

Email nichole\_m\_lobodzinski@vanguard.com

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

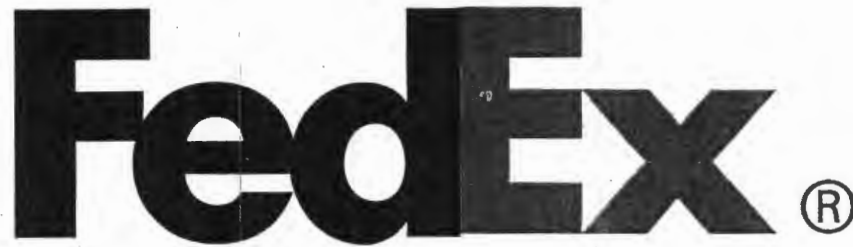
Subscribed and sworn to before me this 18<sup>th</sup> day of April, 2023.

H. Bruce Gordon  
Notary Public Signature

My Commission expires: \_\_\_\_\_

(Seal)

Commonwealth of Pennsylvania - Notary Seal  
H. Bruce Gordon, Notary Public  
Chester County  
My commission expires February 24, 2027  
Commission number 1432852  
Member, Pennsylvania Association of Notaries



ORIGIN ID:NMZA (610) 669-4608  
ANDREA KELLER-CLARK

100 VANGUARD BLVD.

MALVERN, PA 19355  
UNITED STATES US

SHIP DATE: 18APR23  
ACTWGT: 1.00 LB  
CAD: 5424449/INET4610

BILL SENDER

TO CLERK OF COURT  
UNITED STATES COURTHOUSE  
ATTN: ARRAIGNMENT UNIT, RM 520  
500 PEARL STREET  
NEW YORK NY 10007

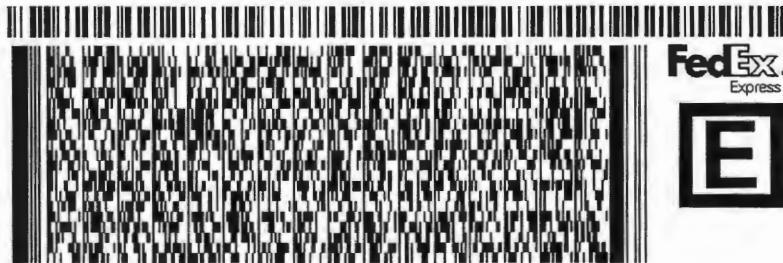
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(610) 669-4608

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INV:  
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DEPT:

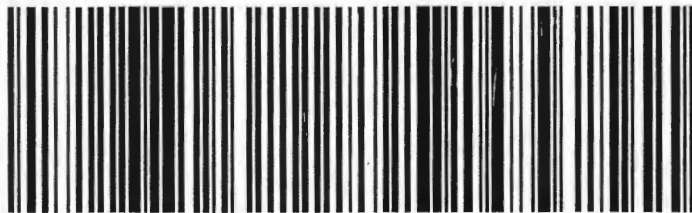


WED - 19 APR 10:30A  
PRIORITY OVERNIGHT

TRK# 7718 8394 6420  
0201

E3 PCTA

10007  
NY-US EWR



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